IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

TUESDAY, THE 4TH DECEMBER 2007 / 13TH AGRAHAYANA 1929

WP(C).No. 28401 of 2007(F)

PETITIONER:

BEENA MATHEW,
KAROTTUKUNNEL HOUSE, VELLIYAMATTOM P.O.,
THODUPUZHA, IDUKKI DISTRICT.

BY ADV. SRI.O.D.SIVADAS

RESPONDENTS:

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1. THE DIRECTOR OF HEALTH SERVICES,
DIRECTORATE, THIRUVANANTHAPURAM.

2. THE DISTRICT MEDICAL OFFICER (HEALTH),
IDUKKI.

3. THE DISTRICT OFFICER,
PUBLIC SERVICE COMMISSION, IDUKKI.

4. PUBLIC SERVICE COMMISSION,
REPRESENTED BY ITS SECRETARY, PATTOM,
THIRUVANANTHAPURAM.

R3 & R4 BY ADV. SRI.ALEXANDER THOMAS,SC,KPSC
R1 & R2 BY GOVERNMENT PLEADER SRI.P.NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

W.P.(C).No.28401 of 2007

Dated this the 4th day of December, 2007.

JUDGMENT

The petitioners are included in the rank list published by the Public Service Commission for the post of Staff Nurse in the Health Services Department. Therefore, they have approached this court seeking a direction to respondents 1 and 2 to report the entire vacancies of Staff Nurses in the Health Services Department in Idukki District without any delay.

2. A statement has been filed by the 2nd respondent to the following effect:

> **"It is submitted that no contractual or Employment hand Staff Nurses are working in this district against the sanctioned post of Staff Nurses.**
> **It is submitted that the total sanctioned post is 172. 167 Staff Nurses are now working. 5 vacancies are available at present. This has been reported to PSC on 1.10.2007.**
> **It is submitted that 50 numbers of provisional Staff Nurses are also working in this department under National Rural Health Mission (NRHM) Programme which is not in the sanctioned post of Staff Nurses. NRHM is a 100% Central Govt. sponsored programme."**

3. The same is recorded. I do not find any reason to disbelieve the statement filed by the 2nd respondent. But, it is made clear that all vacancies which arise during the currency of the rank list should necessarily be reported to the Public Service Commission without any delay.

4. It is submitted by the learned counsel for the petitioners that if any person has been engaged as Staff Nurse on provisional basis, by the National Rural Health Mission, they should be terminated and that vacancy should be filled up by the person sponsored by the Employment Exchange. Obviously, this is not a matter which is comprehended by the present writ petition and I do not propose to go into that issue in this case.

Recording the submission of the 2nd respondent that all vacancies in the post of Staff Nurse in Idukki District have hitherto been reported, the writ petition is disposed of, observing that the 2nd respondent shall report any vacancy that may occur during the currency of the rank list to the Public Service Commission.

Sd/-
(V.GIRI)
JUDGE

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P.S. To Judge